

Notice of Allowability

Application No.

09/849,925

Examiner

Asfand M. Sheikh

Applicant(s)

VILLARET ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/25/2007.
2. ☒ The allowed claim(s) is/are 1, 3-6 and 23-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

~~Supplemental~~ Reasons for Allowance

1. The following is an examiner's statement for the reasons for allowance.

The present invention is directed to a method(s) and system that processes product purchase information in an electronic funds point of sale terminal arrangement. Independent claims 1, 23, 24, and 29 teach the novel feature of accessing a first application at the first DPS by an EFTPOS terminal via a non-payment application executing on the server, selecting a product via the non-payment application offered by the first application on the first DPS, transmitting a set of customer-specific financial account data of the first EFTPOS terminal from a payment application executing on the server to a second application executing on a financial institution DPS for processing payment for the product.

2. The following reference has been identified as the most relevant prior art to the claimed invention(s). The prior art relates to a point of sale device in an e-commerce system for order processing and inventory management.

Ranganath et al. (United States Patent Application Publication 20010037245) teaches establishing a first connection

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between a server and a first DPS via the internet (Ranganath et al., see at least, FIG. 1; Internet Shop Server is a 'DPS' and the Application Server is the 'server'); transmitting product information from the first DPS to the server via the internet in response to a first selection of a product at first plurality of POS terminals (Ranganath et al., see at least, 0024, and 0027; FIG. 1); transmitting the information from the sever to the first POS terminal (Ranganath et al., see at least, 0024, and 0027; FIG. 1); displaying information on the POS terminal (Ranganath et al., see at least, 0024, and 0027; FIG. 1), ability to transmit data to a third party payment terminal (Ranganath et al., see at least, 0045); transmitting from the sever to the first DPS via the internet, data that indicate purchase of the product (Ranganath et al., see at least, 0024, and 0027; FIG. 1).

Ranganath et el. neither anticipates nor fairly and reasonably teaches transmitting from the server to the second DPS purchase data including account information and indicating an amount of money in response to the first EFTPOS terminal, processing payment for the product at the second DPS using the purchase data; transmitting a purchase confirmation from the second DPS to the server and from the server to the first EFTPOS terminal. Because the missing features are not found in a

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reasonable number of references, a person having ordinary skill in the art at the time the invention was made would have not ^{or found it to be obvious} been motivated [^] to combine the missing features with Ranganath et al.

3. The following reference has been identified as relevant prior art to the claimed invention(s): The prior art relates to a vending ~~device~~ ^{device} with remote electronic shopping.

Jenkins et al. (United States Patent 6,264,104) teaches an EFTPOS device, transmitting details regarding the order (e.g. credit details; the examiner interprets "credit details" to include amount of account information and money) through a K71 interface (e.g. server) to a banking system (second DPS). Further Jenkins et al. discloses banking system signals the interface (server), which in turn signals the EFTPOS a confirmation (e.g. open door if product is available) (Jenkins et al., see at least, col. 11, lines 17-26).

Jenkins et al. neither anticipates nor fairly and reasonably teaches accessing a first application at the first DPS by an EFTPOS terminal via a non-payment application executing on the server, selecting a product via the non-payment application offered by the first application on the first DPS, transmitting a set of customer-specific finial account data of

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8/20/07*
the first EFTPOS terminal from a payment application executing on the server to a second application executing on a financial institution DPS for processing payment for the product. Because the missing features are not found in a reasonable number of references, a person having ordinary skill in the art at the time the invention was made would have not been motivated to combine ^{or found it to be obvious} the missing features with Jenkins et al.

4. A foreign reference search was performed however no pertinent foreign reference was identified.

5. A non-patent literature search was performed however no pertinent non-patent literature was identified.

6. Any comments considered necessary by the application must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments On Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asfand M.

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Sheikh whose telephone number is (571) 272-1466. The examiner can normally be reached on M-F 8a-4:30p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan M. Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Asfand M Sheikh
Examiner
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ams
17-August-2007

 8/20/07
F. RYAN ZEENDER
PRIMARY EXAMINER